

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 22, 2004**

DIVISION ONE

B167581      Johnson      (Not for Publication)

V.

California Labor Commissioner, et al.

The judgment (order denying the petition) is affirmed. The Division of Labor Standards Enforcement is entitled to its costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Ortega, J.

B166119 Sinatra (Not for Publication)

V.

Keenan

The order is affirmed. Sinatra is entitled to his costs of appeal.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Mallano, J.

B166575 People (Not for Publication)

V.

Holman

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Mallano, J.

## DIVISION ONE (Continued)

B171061      Staci L.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(L.A. County Department of Children and Family Services, r.p.i.)

The petition is denied.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Mallano, J.

B167926 People (Not for Publication)  
v.  
Rodriguez

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.  
Mallano, J.

[illegible]

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

DIVISION TWO

Court convened at 9:00 A.M.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and  
Jim Guzman, Deputy Clerk.

Each of the following:

B163198 People v. Bermudez  
B164969 Webster  
B163463 People v. Buislay  
B163938 People v. Cardoza  
B165582 People v. Moya  
B160393 Bashkin v. Rand  
B165949 Retana v. TIG Insurance Co.  
B171675 In Re Raydale H.

Argument waived, cause submitted.

B162794      National Technical Systems, Inc., et al.  
                 v.  
                 Schoneman

Merits:

Argued by Michael Maher for respondent. Oral argument previously  
waived by appellant. Cause submitted.

B167697      People  
                 v.  
                 Castillo

Merits:

Argued by Ronnie Duberstein for appellant and by Yun Lee for respondent.  
Cause submitted.

DIVISION TWO (Continued)

B157066     Beshir  
              v.  
              Shorr

Merits:  
Argued by Debra Koven for appellant and by Eileen Spadoni for  
respondent. Cause submitted.

B164100     Pearlman  
              v.  
              Prudential Securities, Inc., et al.

Merits:  
Argued by Leonard Steiner for appellant and by Jeff Feasby for  
respondents. Cause submitted.

B163328     Ty  
              v.  
              Epson America Inc.

Merits:  
Argued by Arthur Cooper for appellant and by Brian Wright for  
respondent. Cause submitted.

B155076     Paramount Developers and Contractors, Inc., et al.  
              v.  
              M.B. Administrative Services & MFG., et al.

Merits:  
Argued by Robin Meadow for appellants and by George Schiavelli for  
respondents. Cause submitted.

Justice Doi Todd leaves bench.

Court recesses.

DIVISION TWO (Continued)

Court reconvened at 1:00 p.m.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Jim Guzman, Deputy Clerk.

B164612     Polyakov, et al.  
              v.  
              Berg, et al.

Merits:  
Argued by Lawrence P. House for appellants and by Gregory Gershuni for respondents. Cause submitted.

B164165     Wollersheim  
              v.  
              Greene, Brolillet, Panish & Wheeler

Merits:  
Argued by Ford Greene for appellant and by Andrew Chang for respondent. Cause submitted.

B165417     Greenspan, et al.  
              v.  
              Booth, et al.

Merits:  
Argued by Steven Cote and by Stella Havkin for appellants and Donald Campbell for respondents. Cause submitted.

B163060     Nangano  
              v.  
              Kolts, et al.

Merits:  
Argued by Richard Terzian for appellant and by Charles Dean for respondents. Cause submitted.

## DIVISION TWO (Continued)

B164975      Ozeran, et al.  
v.  
Johnston, et al

Merits:  
Argued by Lisa Howard for respondents and by Roger Manlin for appellants. Cause submitted.

## Justice Ashmann-Gerst leaves bench.

B164026 Rubin  
v.  
Sears, Roebuck & Company, et al

Merits:  
Argued by Sindee Smolowitz for appellant and by Mitchell Langberg for respondents. Cause submitted.

Court adjourned.

## DIVISION THREE

[illegible]

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

DIVISION THREE (Continued)

B158247      Scott Zacky                      (Not for Publication)  
B160563      v.  
                Warden, Gart & Galen, et al.

The orders are reversed with directions to the superior court to grant the special motions to strike and award the defendants attorney fees and costs incurred in the superior court and on appeal. Appellants are entitled to costs on appeal.

Kitching, J.

I concur:      Aldrich, J.  
I dissent:      Klein, P.J. (Opinion)

B164839      Joan Glasco                      (Not for Publication)  
                v.  
                Specialty Laboratories, Inc., et al.

The judgment is affirmed. Respondent(s) to recover costs.

Kitching, J.

We concur:    Klein, P.J.  
                    Aldrich, J.

DIVISION FIVE

B164101      Farmers & Merchants Bank      (Not for Publication)  
                v.  
                City of Long Beach

The judgment is affirmed. Respondent(s) to recover costs.

Grignon, J.

We concur:    Turner, P.J.  
                    Armstrong, J.

DIVISION FIVE (Continued)

B163052      Gladys Delgado                      (Not for Publication)  
                 v.  
                 Gertrude Burin

The order granting the motion to vacate is reversed to the extent it orders vacation of the order striking the complaint and the judgment on the complaint. The order granting the motion to vacate is affirmed to the extent it orders vacation of the order striking the answer to the cross-complaint, the default, and default judgment on the cross-complaint. Respondent Delgado is to pay the costs on appeal of appellant Burin.

Grignon, Acting P.J.

We concur:    Armstrong, J.  
                 Mosk, J.

B164998      Los Angeles County, D.C.S.  
                 v.  
                 Robert G.  
                 In re Alexandria G.

Filed order denying petition for rehearing.

DIVISION SIX

B156130      Shapiro                                      (Not for Publication)  
                 v.  
                 Pratt

The judgment is affirmed. Respondents are awarded costs on appeal.

Yegan, J.

We concur:    Gilbert, P.J.  
                 Coffee, J.



DIVISION SIX (Continued)

B162350     Tatiana Childs                    (Certified for Publication)  
               v.  
               County of Santa Barbara

The judgment is reversed. Costs on appeal are awarded to appellant.

Perren, J.

We concur:   Gilbert, P.J.  
                     Coffee, J.

B166116     Chakko                                    (Certified for Publication)  
               v.  
               Chakko

The "issue sanction" order is affirmed. Costs to respondent.

Yegan, J.

We concur:   Gilbert, P.J.  
                     Perren, J.

B164853     People                                    (Not for Publication)  
               v.  
               Carpenter

The judgment is affirmed.

Yegan, J.

We concur:   Gilbert, P.J.  
                     Coffee, J.

## DIVISION SEVEN

B167843      Hicks      (Certified for Publication)

V.

Superior Court, Los Angeles County  
(Kaufman and Broad Home Corp., r.p.i.)

The petition is denied. Each side is to bear its own costs of this proceeding.

Perluss, P.J.

I concur: Woods, J.

I dissent: Johnson, J. (Opinion)

B159884      In re Kunkler on Habeas Corpus      (Not for Publication)

The superior court order granting Edgar Kunkler's petition for writ of habeas corpus and ordering his release from prison is reversed.

Perluss, P.J.

I concur: Woods, J.

I dissent: Johnson, J. (Opinion)

B168611      Los Angeles County, D.C.S.

**V.**

Monica M.,  
In re: Raul M.

Filed order granting petition for rehearing.

B167843 Hicks, et al.

$$\mathbf{V}_i$$

Superior Court, Los Angeles County  
(Kaufman & Broad Home Corp. et al., r.p.i.)

Filed order modifying opinion. (No change in the judgment)

## DIVISION EIGHT

B169178 Bloom, et al. (Not for Publication)

V.

Superior Court, Los Angeles County  
(Senior Housing Properties Trust et al, r.p.i.)

The petition for writ of mandate is granted. The respondent court is directed to vacate its order of June 11, 2003, denying plaintiffs' motion to compel the facility to provide further responses to plaintiffs' demand for production of documents (set one), and to thereafter reconsider the motion and rule separately on each of the 37 requests that were the subject of the motion. Petitioners are entitled to their costs in this writ proceeding. (Cal Rules of Court rule 56.4.)

Cooper, P.J.

We concur: Rubin, J.  
Boland, J.